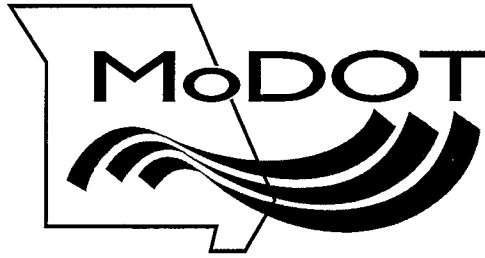


Missouri
Department
of Transportation

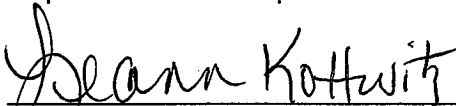


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**ADDENDUM 001
REQUEST FOR BID
US-36 Project
RFP NUMBER: 6-070320**

Offerors should acknowledge receipt of Addendum 001 (ONE) by signing and including it with the original bid. The due date for receipt of proposals remains unchanged by this Addendum. Accordingly, the following clarifications, questions and answers are believed to be of general interest to all potential Offerors. All other terms and conditions remain unchanged and in full force.

Name and Title of Signer (Print or type)	Name and Title of Department Authority Leann Kottwitz Senior General Services Specialist
Contractor/Offeror Signature	Department of Transportation 
(Signature of person authorized to sign)	(Authorizing Signature)
Date Signed:	Date Signed: 03/13/07

Pre-Bid Conference Meeting – March 1, 2007 – 10:00 pm – 12:00 pm

Attendees:

Louis Fuselier – Interstate Road Management Corp.

Chris Hibberd – Central Seal Company

John Thompson – Central Seal Company

Bill Francis – Twin Traffic Marking

Jerry Reichert – Oglesby Construction

Rick Toman – Pauk Mauk

Dan Patacca- Poly-Carb

Brian Jones – Nes Traffic Safety, LP

Keith Brahme – Century Fence

Al Lehman – Century Fence

Chris Dennis – DPLM Advantage

Scott Hodges – DPLM Advantage

EJ Rutherford – 3M

John Benz – 3M

Sithya Khieu – 3M

Dan Fischer – 3M

Jim Brocksmith – MoDOT

Leann Kottwitz - MoDOT

RFB Questions Submitted / Answers– Total of 50 questions

Scope of Work 2.1

1. Please clarify the nature of work done on crossovers and ramps. Are we to paint overpasses and where do we stop painting on ramps? Does the work include pavement markings or just long line truck work?

At intersections along US 36 the following is expected from the striping contractor:

- Interchanges – the contractor is expected to stripe the ramps to the ramp terminus. Normally this is where the ramp intersects the crossroad. For directional interchanges, the contractor will stripe the ramps to where they terminate on the other freeway.
- At Grade Crossovers – the contractor will be responsible for all long line markings within and approaching the crossover. Pavement marking on the side street approaches will not be the contractor's responsibility.

Intersection markings, stop bars, arrows, railroad markings, etc. are not the responsibility of the contractor.

2. Item g states contractor will be responsible for permanent markings on construction projects on rt. 36. Please provide a list of construction projects with beginning and ending mileposts and anticipated work quantities and completion dates.

A listing of projects with beginning and ending logs as well as anticipated letting and completion dates is attached.

3. Item c. Is reflectivity measured by the mobile an average of mobile readings by the mile?

Since the pay is based on 1-mile increments of the lines, the retroreflectivity readings will be averaged in corresponding 1-mile increments.

4. Are the road builders on new construction projects responsible for layout and placement of rumble strips prior to placing of edge lines?

Yes.

5. Will the contract include a minimum amount of maintenance repair footage to keep the contractor from mobilizing for small quantities of striping?

Yes. When either 500 feet or more continuous line is missing or when 1000 feet or more within a 1-mile stretch are missing, the contractor will be expected to repair the stripe.

6. What dates will the mobile van be testing reflectivity? Contractors need a window of time in the spring and fall to complete work prior to testing.

The evaluations will be done prior to the payment date. The contractor will be notified 1 week before the evaluation period is to begin so they can participate.

7. Are lane extension skips (cat tracks) part of this contract?

They could be if they fall within the striping limits set out in question 1.

8. Is the mobile van going to test intersection radii, ramp radii and other hard to test short lines?

It may if it is suspected that these markings are not being maintained.

9. Who mediates controversies arising from differences between mobile van and other verifiable reflectivity measurements?

If there are irreconcilable disagreements on the retroreflectivity results, the contract may hire, at their expense, a third party, approved by MoDOT, to take retroreflectivity readings. These readings will be the final numbers used in determining payment.

10. What wage scales, if any, are to be in place for this project?

Wage Order Number 13, Incremental Increase #7 is to be used for this project, you may view this at <http://www.dolir.missouri>

11. On striping for construction projects please explain if the 5 days to complete work also includes time for layout of striping which must be done in conjunction with MoDot traffic engineers.

To clarify the time requirements, when our project offices notify the contractor the road is ready for striping, they will also notify our Traffic staff in the District Office. MoDOT Traffic staff will then have 3 days to complete layout of the markings if required. For most sections of US 36, the only layout done by MoDOT may be the amount of skips before and after gore points or turn lanes on expressway sections. The contractor will then have 5 days from the completion of the layout to begin striping activities.

12. Who is responsible for damage to markings by other contractors working for MoDot?

If other contractors working on US 36 damage existing lines, repair will be handled the same as if MoDOT maintenance forces damage existing lines.

13. Please explain why Cap Y is excluded from paint color spec?

When defining the chromaticity performance measures, we focused on color as being the primary issue we are concerned with. That is why we use the x and y coordinates for nighttime pavement marking as defined by the FHWA in Table 6 of the July 31, 2002

Federal Register. This Federal Register does not include a luminance table as it does for the sign sheeting tables. Cap Y is a measure of the daytime luminance of the material, with the luminance being defined as a measure of the brightness of the color. We do not see this factor as being as important in this project as is the color. We want yellow lines to be easily recognizable to the public as yellow lines.

14. Can alkyd paint be used on this project?

Yes

15. If existing markings are found to be in wrong place who pays for the removal?

The contractor is expected to have neat crisp lines. If existing markings are being removed for the application of the contractor's markings, the contractor will completely remove those markings that will impact the appearance of their markings. As an example, skips that have become too wide or too long from restriping, will be totally removed before the contractor installs their markings. Edgelines not totally removed by diamond grinding will not be the responsibility of the contractor. MoDOT District Traffic staff will review other existing markings that appear out of position and if confirmed, removal will not be the responsibility of the contractor.

16. Is the Contractor allowed to mix and match materials to fit existing road conditions?

Yes

17. Are the state maintenance crews or the contractor responsible for cleaning of excess debris and silt roadway prior to striping?

The contractor is responsible for any cleaning of the road surface that may be required prior to installation.

18. Will the contractor be provided a completed report of reflectivity at each testing period?

Yes.

19. In many traffic control plans for MoDOT a permanent edgeline is used during stages of the traffic control plan (i.e. one temp edgeline and one permanent edgeline). Would the painting contractor be responsible for installation of the permanent edgeline used during traffic control phasing?

If it becomes a permanent line at the end of the project, yes.

20. Attachment A: 18 projects/sections are shown as being completed in the next 5 years. Many times projects are let with multiple job numbers and the contractor is allowed to close one job while continuing to work on the on job or the project as a whole. Does each of these 18 projects/segments have only one job number for each segment?

More detailed project information is attached.

21. Are there established work hours for this project?

There may be some time restrictions applied as needed in St. Joseph and in Hannibal, or due to incidents, planned events that generate increased traffic, or to coordinate with other roadway work going on.

22. Is there a minimum footage for restriping of maintenance repair areas?

See answer to #5 above.

23. Does 5 day rule to begin striping apply to these maintenance areas?

Yes, when sufficient quantities as described in #5 above are reached.

24. Do reflectivity requirements apply during MoDOT spot checking activities? If so, what is the remedy for a section that fails (i.e. no pay, restripe, etc.)?

Yes, the same performance criteria will be used during spot checks. The contractor will be notified of the results of these spot checks. Payments will only be based on the evaluation period checks.

25. Existing lines are in the wrong location (i.e. diamond grind operations were the edgeline is being moved into shoulder rumble and existing edgeline is still present). Is painting contractor responsible for removal of existing edgeline or will two lines be present on roadway upon completion?

See #15 above.

26. A Contractor completes project after the fall readings are taken but before the end of the year and pavement marking operations are begun within 5 day period. Will readings be taken after application or will readings be taken in the spring following the plowing season? Would the initial application therefore be considered Temporary Markings and subject to the minimum 100 mcd until readings are taken in the spring?

Readings for pay will only be taken during the 2 evaluation periods. Temporary markings may be used over the winter season.

27. Does painting contractor remove temporary markings installed by asphalt contractor prior to installation of permanent/temporary markings?

Yes, the paving contractors will normally use the MoDOT temporary RPM system which will be removed by the striping contractor. If other temporary markings are used during the construction project, the construction contractor will be responsible for their removal.

28. Is removal of temporary markings a no pay item?

Yes

29. If 89% of the lines have passing numbers does this result in no payment for all the lines applied?

Yes

30. What is the wage rate for this project?

Yes, please see #10 above.

31. Should Painting contractors contract be cancelled, is the bonding company responsible for completing project?

MoDOT will assume responsibility for striping US 36.

32. In Section 2.1 General Requirements, 3M suggests the following changes to help clarify the pavement markings and striping in the scope this contract:

2.1 General Requirements:

SERVICES: The Offeror shall provide the following professional services:

Contractor to provide and install permanent pavement markings on US 36 that meet MoDOT defined performance criteria. This includes mainline and ramp markings, mainline turn lanes and crossovers at grade level on the mainline, excluding overpasses, transverse lines, curb painting, symbols, and legends. Outer roads and crossroads at interchanges are not included.

Defined in #1 above.

33. In subsection Performance Criteria under Chromaticity of Section 2.2 Specific

Requirements, 3M suggests the addition of daytime lightness (CAP Y) per ASTM D6628-03.

2.2 Specific Requirements:

Chromaticity and Luminance Factor

- Chromaticity shall be within the following FHWA approved color boxes for the life of the marking material. Daytime chromaticity coordinates shall conform to ASTM D 6628-03 Table 1 Daytime Color, and the daytime lightness shall conform to ASTM D 6628-03 Table 3 Luminance Factor, Cap Y.

Daytime Color Specification Limits for Retroreflective Pavement Marking Material With CIE 2° Standard Observer and 45/0 (0/45) Geometry and CIE Standard illuminant D₆₅

TABLE 1 Daytime Color

NOTE 1—Daytime, Geometry – 45/0 (0/45), CIE illuminant D₆₅ and the CIE 1931 (2°) standard observer.

Color	Daytime Chromaticity Coordinates (Corner Points)							
	1		2		3		4	
	x	y	x	y	x	y	x	y
White	0.355	0.355	0.305	0.305	0.285	0.325	0.335	0.375
Yellow	0.560	0.440	0.490	0.510	0.420	0.440	0.460	0.400
Red	0.480	0.300	0.690	0.315	0.620	0.380	0.480	0.360
Blue	0.105	0.100	0.220	0.180	0.200	0.260	0.060	0.220

Daytime Lightness Limits shall conform to Table 3 when measured at 45°/0° and 0°/45° and 2° observation geometry.

TABLE 3 Luminance Factor, Cap Y^A

Color	With Glass Beads	
	Y	Y
	Minimum	Maximum
White	35	...
Yellow	25	...
Red	6	15
Blue	5	14

The chromaticity requirements are explained in #13 above.

34. In Section 2.3 Performance Evaluation, 3M suggests contract languages to

2.3 PERFORMANCE EVALUATION

The performance evaluation relies upon subjective measurements, which creates uncertainty and therefore increased cost to MoDOT. We recommend referencing relevant ASTM specifications in the performance evaluations to reduce uncertainty and potential contractor disputes by the

use of these specifications. Some examples of these specifications are: ASTM D6628 for Chromaticity, ASTM-913 for appearance and ASTM – E1710-05 30-meter geometry with 6 inches of ground clearance.

We believe that our performance standards have been defined sufficiently.

35. In subsection Evaluation Periods of Section 2.3 Performance Evaluation, 3M would like to suggest including specific dates for the evaluation periods in the month of June in the Spring and in the month of November in the Fall evaluation periods.

Evaluation Periods

Evaluation of pavement markings on US 36 will be conducted in the Spring and in the Fall prior to each payment period. Markings shall be measured between June 1st and June 30th (Spring) and between November 1st and November 30th (Fall).

We will not define the evaluation periods other than to say the contractor will be notified one week before they are to be taken.

36. In the subsections Construction Projects and New Layout of Section 2.3 Performance Evaluation, the five days period should exclude the time required for obtaining approval of any new pavement marking layout.

See answer to #11 above.

37. In subsection Maintenance Activities of Section 2.3 Performance Evaluation, 3M suggests the addition of damages due to construction activities immediately adjacent to the construction sites.

Maintenance or Construction Activities

During the course of this contract there will be locations where maintenance or construction of the surface or shoulders will be required. If the maintenance or construction activities degrade or destroy the pavement markings, the contractor will not be held responsible. The contractor will provide MoDOT with a unit price, per foot, for replacing permanent pavement markings damaged by maintenance or construction activities.

See answer to #12 above.

38. Is this a five year bond, that requires 5 separate bonds, one for each year?
If yes, Please confirm if this bond language is acceptable. "this bond will cover year one and work done in that year, beginning on _____ and expiring on _____". (We need to define the exact term of each bond).

Not necessarily. We are leaving the bonding up to the contractor to be creative. 5 separate bonds or one bond that has an annual renewal could be acceptable. Other variations would be considered.

39. Will MoDOT will consider Oglesby to be in default if the bonding company chooses not to write a new bond in year 3, for example? That would NOT be the bonding companies intention, but we need to make the obligation clear to the bonding company.

Yes. The contractor will be required to be bonded for each year of the contract or be considered in default.

40. What is the maintenance requirement? Does Oglesby maintain for the 5 year period only or beyond that?

The contractor's responsibility ends when the contract ends.

41. There are 2 payments per year, with a maximum of 1/10 of the contract price payable *regardless of the amount of work put in place*. Assuming a \$5M – 5yr contract, this would make \$500m maximum available for each pay period – even if they place \$700m of accepted work. If our contractor doesn't place approximately \$500m of pavement markings each eligible pay period, they're going to end up backwards on this contract. In other words, if they place \$300m in the first term, and are paid for that amount, but place \$700m in the next contract term – they will still only be paid the maximum of \$500m. This doesn't seem correct, it reads as if the contractor could potentially be doing work that they cannot receive payment for. See "Contractor Payments" section. Can the payment terms be amended to be more equitable?

Sections 2.1 (d) and 2.3 – Contractor Payments, currently define that the contractor will be paid in 10 equal installments, twice a year. MoDOT is receptive to alternate annual payment plans that a contractor may propose. Any proposed annual payment plan will not allow more than 25 percent in one year or more than 75 percent in the first 3 years of the total contract amount.

42. It looks like the contractor must start pavement marking within 5 days from notice from MoDOT – however, they must first notify the Traffic Section at the appropriate District Office to locate the type, color and width of markings prior to placement. Failure to do so will cause any markings done not in accordance with MoDOT pavement marking guidelines to be considered failed and not available for payment. Since the contractor would start accruing penalties of \$1,000/day if they don't start within 5 days...what if the local district office does not respond in a timely manner? Does the 5 day clock start ticking once the District Office responds?

See #11 above.

43. The Contract allows for a delay in placing the permanent pavement markings if “late season weather conditions” do not allow for installations. What about weather conditions “in season” that do not allow for placement of markings to start within the allowed 5 day time period?

Working days are defined in our Standard Specifications in sections 108.7.2 and 108.7.2.1.

44. **Section 2.1.b.**

Spring and Fall are too arbitrary. While a 30 day notice to the contractor was given in the past meeting, MODOT should set up a set month for evaluations to take place (with notice of date to contractor). We would suggest evaluations in May (to allow proper removal of winter contaminations (salt, mud, etc.) and no later than October (prior to contaminations (salt, mud, etc.)).

See Technical Question #4 above.

45. **Section 2.1.d.**

MODOT should encourage receiving altered payment plans instead of the 10 equal payments. This would encourage contractors to use long life products as well as keep project costs lower. Right now, with contractors looking to use paint, bids will be high so that the contractor can recoup all his costs in the first evaluation period.

See #4 above.

46. **Section 2.1.i.**

Right now, plans only show construction work on US 36 until the year 2010. This project is scheduled to go until 2012. How will contractor costs associated with striping new projects be considered?

The listing of projects is to the best of our knowledge at this time. The contractor needs to be aware that additional projects may be added in the future based on MoDOT’ discretion. Any new projects added will fall under the same terms and conditions of the contract.

47. **Section 2.3 Performance Evaluation**

It was stated that if a section fails during evaluations, then that section does not get paid. There should be a timeline for contractors to recoup some of the lost funds if rework is done in a certain time period. MODOT needs to provide contractors with a reason to maintain the lines during the entire project and not just prior to an evaluation. Right now, if a section fails, the contractor can leave poor lines for 6 months before having to reapply new markings.

This contract is intended to be performance based. We believe how we have set it up meets those goals.

48. Section 2.3 Construction Projects

Construction project timelines are out of the pavement marking contractor's hands. Right now, every contractor in bidding these projects with the mindset of applying temporary markings in the winter and then restriping in the spring prior to the evaluation period. MODOT should require that all construction projects should have temporary markings applied but spring applications must be a durable marking. MODOT has new pavement out there, let's start the projects right by applying a long life product as well.

Our intention is that the permanent stripe be applied whenever conditions allow. We do realize that many projects finish up late in the year when conditions are not ideal for installing permanent markings.

49. Section 3.1.4 Bond

Please clarify the type of bond that is required, performance or warranty? Also, why is the state requiring a bond if the state is controlling the payment plans (again, extra cost to the state). If contractor does not meet requirements, then they do not get paid. MODOT holds all the power.

Most contracts on state roads require bonding. We have worked with our legal staff to allow the annual bonding versus the full contract bond.

50. Invoicing and Payments

Please clarify 'taxes on material' to be paid by contractors (state, etc.)? Also, is MODOT issuing work orders for invoicing purposes or is another means necessary?

What this means is that materials used on state roads are not exempt from sales taxes. The contractor will be responsible for paying all federal, state or local sales taxes state on the materials purchased for this work.

ADDITIONS

In addition to the above, the following changes are being made to the RFB.

A new item is added to Section 2.1 to be designated as 1.

1. Contractor will be allowed only one application of their pavement marking system per year. This excludes any permanent striping of newly completed projects or restriping due to maintenance or construction damage.